

BEFORE THE  
BOARD OF REGISTERED NURSING  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

**JOSEPHINE GEMANEL MADRIDEJO-ADVENTO**  
**a.k.a. JOSEPHINE A. ASPRER**  
**2140 North Brighton Street**  
**Burbank, CA 91504**

**Registered Nurse License No. 479479**

Respondent

Case No. 2013-64

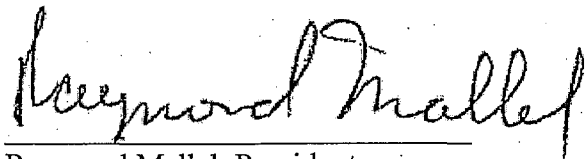
OAH No. 2012080958

**DECISION AND ORDER**

The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the Board of Registered Nursing, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on **April 26, 2013.**

IT IS SO ORDERED **March 28, 2013.**



Raymond Mallel, President  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California

1 KAMALA D. HARRIS  
Attorney General of California  
2 GLORIA A. BARRIOS  
Supervising Deputy Attorney General  
3 LINDA L. SUN  
Deputy Attorney General  
4 State Bar No. 207108  
300 So. Spring Street, Suite 1702  
5 Los Angeles, CA 90013  
Telephone: (213) 897-6375  
6 Facsimile: (213) 897-2804  
*Attorneys for Complainant*

7  
8 **BEFORE THE**  
**BOARD OF REGISTERED NURSING**  
9 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**

10 In the Matter of the Accusation Against:

Case No. 2013-64

11 **JOSEPHINE GEMANEL MADRIDEJO-**  
12 **ADVENTO, AKA**  
13 **JOSEPHINE A. ASPRER**  
2140 North Brighton Street  
14 Burbank, CA 91504

OAH No. 2012080958

**STIPULATED SETTLEMENT AND**  
**DISCIPLINARY ORDER FOR PUBLIC**  
**REPROVAL**

15 Registered Nurse License No. 479479

[Bus. & Prof. Code § 495]

16 Respondent.

17  
18 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-  
19 entitled proceedings that the following matters are true:

20 **PARTIES**

21 1. LOUISE R. BAILEY, M.ED., RN (Complainant) is the Executive Officer of the  
22 Board of Registered Nursing (Board). She brought this action solely in her official capacity and  
23 is represented in this matter by Kamala D. Harris, Attorney General of the State of California, by  
24 Linda L. Sun, Deputy Attorney General.

25 2. Josephine Gemanel Madridejo-Advento, aka Josephine A. Asprer (Respondent) is  
26 represented in this proceeding by attorney Samuel Spital, whose address is: 8880 Rio San Diego  
27 Drive, Ste. 800, San Diego, CA 92108-1642.

1           3.     On or about June 30, 1992, the Board issued Registered Nurse License No. 479479 to  
2 Respondent. The Registered Nurse License was in full force and effect at all times relevant to the  
3 charges brought in Accusation No. 2013-64 and will expire on September 30, 2013, unless  
4 renewed.

5                                   **JURISDICTION**

6           4.     Accusation No. 2013-64 was filed before the Board and is currently pending against  
7 Respondent. The Accusation and all other statutorily required documents were properly served  
8 on Respondent on July 19, 2012. Respondent timely filed her Notice of Defense contesting the  
9 Accusation. A copy of Accusation No. 2013-64 is attached as Exhibit A and incorporated herein  
10 by reference.

11                                   **ADVISEMENT AND WAIVERS**

12           5.     Respondent has carefully read, fully discussed with counsel, and understands the  
13 charges and allegations in Accusation No. 2013-64. Respondent has also carefully read, fully  
14 discussed with counsel, and understands the effects of this Stipulated Settlement and Disciplinary  
15 Order for Public Reproval.

16           6.     Respondent is fully aware of her legal rights in this matter, including the right to a  
17 hearing on the charges and allegations in the Accusation; the right to be represented by counsel at  
18 her own expense; the right to confront and cross-examine the witnesses against her; the right to  
19 present evidence and to testify on her own behalf; the right to the issuance of subpoenas to  
20 compel the attendance of witnesses and the production of documents; the right to reconsideration  
21 and court review of an adverse decision; and all other rights accorded by the California  
22 Administrative Procedure Act and other applicable laws.

23           7.     Respondent voluntarily, knowingly, and intelligently waives and gives up each and  
24 every right set forth above.

25                                   **CULPABILITY**

26           8.     Respondent admits the truth of each and every charge and allegation in Accusation  
27 No. 2013-64.  
28

1           9. Respondent agrees that her Registered Nurse License is subject to discipline and she  
2 agrees to be bound by the Board's terms as set forth in the Disciplinary Order below.

3                                   **CIRCUMSTANCES IN MITIGATION**

4           10. Respondent has never been the subject of any prior disciplinary action before the  
5 Board since her licensure in 1992. She has accepted responsibility at an early stage in the  
6 proceedings. Respondent has submitted a lengthy mitigation brief, multiple supporting  
7 declarations and exhibits. Further, Respondent has been examined by a forensic expert.

8                                   **RESERVATION**

9           11. The admissions made by Respondent herein are only for the purposes of this  
10 proceeding, or any other proceedings in which the Board of Registered Nursing or other  
11 professional licensing agency is involved, and shall not be admissible in any other criminal or  
12 civil proceeding.

13                                  **CONTINGENCY**

14           12. This stipulation shall be subject to approval by the Board of Registered Nursing.  
15 Respondent understands and agrees that counsel for Complainant and the staff of the Board of  
16 Registered Nursing may communicate directly with the Board regarding this stipulation and  
17 settlement, without notice to or participation by Respondent or her counsel. By signing the  
18 stipulation, Respondent understands and agrees that she may not withdraw her agreement or seek  
19 to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails  
20 to adopt this stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary  
21 Order for Public Repeval shall be of no force or effect, except for this paragraph, it shall be  
22 inadmissible in any legal action between the parties, and the Board shall not be disqualified from  
23 further action by having considered this matter.

24           13. The parties understand and agree that facsimile copies of this Stipulated Settlement  
25 and Disciplinary Order for Public Repeval, including facsimile signatures thereto, shall have the  
26 same force and effect as the originals.

27           14. This Stipulated Settlement and Disciplinary Order for Public Repeval is intended by  
28 the parties to be an integrated writing representing the complete, final, and exclusive embodiment

1 of their agreement. It supersedes any and all prior or contemporaneous agreements,  
2 understandings, discussions, negotiations, and commitments (written or oral). This Stipulated  
3 Settlement and Disciplinary Order for Public Reproval may not be altered, amended, modified,  
4 supplemented, or otherwise changed except by a writing executed by an authorized representative  
5 of each of the parties.

6 15. In consideration of the foregoing admissions and stipulations, the parties agree that  
7 the Board may, without further notice or formal proceeding, issue and enter the following  
8 Disciplinary Order:

9 DISCIPLINARY ORDER

10 IT IS HEREBY ORDERED that Registered Nurse License No. 479479 issued to  
11 Respondent shall, by way of letter from the Board's Executive Officer, be publicly reprovod. The  
12 letter shall be in the same form as the letter attached as Exhibit B to this stipulation.

13 IT IS FURTHER ORDERED that Respondent shall pay \$2,515 to the Board for its costs  
14 associated with the investigation and enforcement of this matter. Respondent shall be permitted  
15 to pay these costs in a payment plan approved by the Board. If Respondent fails to pay the Board  
16 costs as ordered, Respondent shall not be allowed to renew her Registered Nurse License until  
17 Respondent pays costs in full.

18 ACCEPTANCE

19 I have carefully read the above Stipulated Settlement and Disciplinary Order for Public  
20 Reproval and have fully discussed it with my attorney, Samuel Spital. I understand the  
21 stipulation and the effect it will have on my Registered Nurse License. I enter into this Stipulated  
22 Settlement and Disciplinary Order for Public Reproval voluntarily, knowingly, and intelligently,  
23 and agree to be bound by the Decision and Order of the Board of Registered Nursing.

24  
25 DATED: 12-11-12

26   
27 JOSEPHINE GEMANEL MADRIDEJO-ADVENTO,  
28 AKA JOSEPHINE A. ASPRER  
Respondent

1 I have read and fully discussed with Respondent Josephine Gemanel Madridejo-Advento,  
2 aka Josephine A. Asprer the terms and conditions and other matters contained in the above  
3 Stipulated Settlement and Disciplinary Order for Public Repeval. I approve its form and content.

4  
5 DATED:

Dec. 11, 2012

Samuel Spital  
Attorney for Respondent

7 ENDORSEMENT

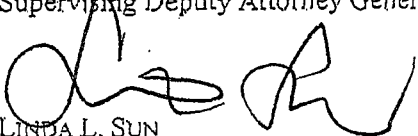
8 The foregoing Stipulated Settlement and Disciplinary Order for Public Repeval is hereby  
9 respectfully submitted for consideration by the Board of Registered Nursing of the Department of  
10 Consumer Affairs.

11 Dated:

12  
13 12-12-12

Respectfully submitted,

KAMALA D. HARRIS  
Attorney General of California  
GLORIA A. BARRIOS  
Supervising Deputy Attorney General

  
LINDA L. SUN  
Deputy Attorney General  
Attorneys for Complainant

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**Exhibit A**

**Accusation No. 2013-64**

1 KAMALA D. HARRIS  
Attorney General of California  
2 GLORIA A. BARRIOS  
Supervising Deputy Attorney General  
3 LINDA L. SUN  
Deputy Attorney General  
4 State Bar No. 207108  
300 So. Spring Street, Suite 1702  
5 Los Angeles, CA 90013  
Telephone: (213) 897-6375  
6 Facsimile: (213) 897-2804  
*Attorneys for Complainant*

8 **BEFORE THE**  
9 **BOARD OF REGISTERED NURSING**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. **2013-64**

13 **JOSEPHINE GEMANEL MADRIDEJO-ADVENTO**  
14 **aka JOSEPHINE A. ASPRER**  
2140 North Brighton Street  
Burbank, CA 91504

**A C C U S A T I O N**

15 Registered Nurse License No. 479479

Respondent.

16  
17 Complainant alleges:

18 **PARTIES**

19 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her  
20 official capacity as the Interim Executive Officer of the Board of Registered Nursing, Department  
21 of Consumer Affairs (Board).

22 2. On or about June 30, 1992, the Board issued Registered Nurse License No. 479479 to  
23 Josephine Gemanel Madridejo-Advento, aka Josephine A. Asprer (Respondent). The Registered  
24 Nurse License was in full force and effect at all times relevant to the charges brought herein and  
25 will expire on September 30, 2013, unless renewed.

26 **JURISDICTION**

27 3. This Accusation is brought before the Board under the authority of the following  
28 laws. All section references are to the Business and Professions Code unless otherwise indicated.



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3. Taking such other and further action as deemed necessary and proper.

DATED:

*July 19, 2012*

*for Anne Ben*

LOUISE R. BAILEY, M.ED., RN  
Interim Executive Officer  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California  
*Complainant*

LA2012506501  
5/30/2012dmm  
51116306.doc

**Exhibit B**

**Letter of Public Reproval in Case No. 2013-64**



STATE AND CONSUMER SERVICES AGENCY • GOVERNOR EDMUND G. BROWN JR.

**Board of Registered Nursing**

P O Box 944210, Sacramento, CA 94244-2100

P (916) 322-3350 | [www.rn.ca.gov](http://www.rn.ca.gov)

Louise R. Bailey, M.ED., RN, Executive Officer



March 28, 2013

Josephine Gemanel Madridejo-Advento, aka Josephine A. Asprer  
2140 North Brighton Street  
Burbank, CA 91504

RE: LETTER OF PUBLIC REPROVAL  
In the Matter of the Accusation Against:  
Josephine Gemanel Madridejo-Advento, aka Josephine A. Asprer  
Registered Nurse License No. 479479

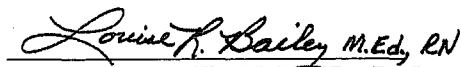
Dear Ms. Madridejo-Advento:

On July 19, 2012, the Board of Registered Nursing, Department of Consumer Affairs, State of California, filed an Accusation against your Registered Nurse License. The Accusation alleges that you that you were convicted of a crime substantially related to the qualifications, functions, and duties of a registered nurse in violation of Business and Professions Code sections 490 and 2761, subdivision (f), in conjunction with California Code of Regulations, title 16, section 1444. The basis for the allegation is that on or about October 6, 2011, you were convicted of your plea of nolo contendere to one misdemeanor count of violating Penal Code section 487(a) in that you stole merchandise from a department store valued at \$1117.94.

Taking into consideration that you have been licensed in California for over 20 years without prior discipline, that you have been in compliance with your criminal probation, that you have been examined by Dr. Martin Williams, a psychologist who opined that the conduct was an isolated incident, that you have submitted numerous letters from physicians and other health care professionals in support of your character, your nursing competence and your commitment to helping others, and that there are other mitigating circumstances in this case that support the determination that you are safe to practice as a registered nurse, the Board has decided that the charges warrant a public reproof. You shall pay \$2,515 to the Board for its costs associated with the investigation and enforcement of this matter. You are permitted to pay these costs in a payment plan approved by the Board. However, if you fail to pay the Board costs as ordered, you will not be allowed to renew your Registered Nurse License until these costs are paid in full.

Accordingly, in resolution of this matter under the authority provided under Business and Professions Code section 495, the Board of Registered Nursing, Department of Consumer Affairs issues this letter of public reproof.

Sincerely,

  
LOUISE R. BAILEY, M.ED., R.N.  
Executive Officer  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California